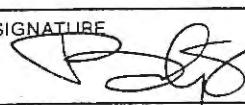
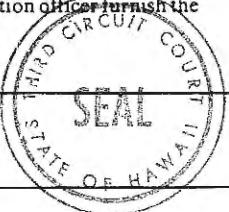


Ex... 3

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	JUDGMENT GUILTY CONVICTION AND PROBATION SENTENCE NOTICE OF ENTRY	CASE NUMBER Cr. No. 99-147
STATE OF HAWAII VS (DEFENDANT) SHAWN SCHWEITZER		POLICE REPORT NUMBER D-74774/PN D-74767/PN
DEFENDANT'S PLEA <input checked="" type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> NO CONTEST		<input type="checkbox"/> JURY VERDICT <input checked="" type="checkbox"/> JUDGE FINDINGS
ORIGINAL CHARGE I(A): MURDER IN THE SECOND DEGREE I(B): MURDER IN THE SECOND DEGREE II: KIDNAPPING III: SEXUAL ASSAULT IN THE FIRST DEGREE		CHARGE TO WHICH DEFENDANT PLEAD I(B): MANSLAUGHTER (BY OMISSION) (lesser included offense) II: KIDNAPPING (CLASS B FELONY, BY OMISSION) (lesser included offense)
DEFENDANT IS CONVICTED AND FOUND GUILTY OF I(B): MANSLAUGHTER (BY OMISSION), in violation of Sections 707-702(1)(a), 707-702(3), and 663-1.6, Hawai'i Revised Statutes, as amended (lesser included offense) II: KIDNAPPING (CLASS B FELONY, BY OMISSION) in violation of Sections 707-720(1) and 707-720(3), Hawai'i Revised Statutes, as amended		
JUDGMENT AND SENTENCE OF THE COURT: PROBATION		
TERM FIVE (5) YEARS	FINE	
SPECIAL CONDITIONS: <input type="checkbox"/> RESTITUTION <input checked="" type="checkbox"/> OTHER SEE TERMS AND CONDITIONS OF PROBATION <input checked="" type="checkbox"/> JAIL <input type="checkbox"/> COMMUNITY SERVICE		
It is adjudged that the Defendant has been convicted and is guilty as stated above.		
IT IS THE JUDGMENT AND SENTENCE of the court that the Defendant pay the fine/restitution indicated and is hereby placed on probation for the period stated above, commencing as of the date of this judgment, unless sooner discharged by order of the court, upon condition that the Defendant comply with all of terms and conditions of probation set forth in the attached document.		
IT IS ORDERED that copies of this Judgment be delivered to the Adult Probation Division of this court, that a probation officer of this court take charge of and have supervision of the Defendant and instruct the Defendant regarding the terms and conditions of probation, and that the probation officer furnish the Defendant a copy of this Judgment.		
DATE SIGNED May 11, 2000 nunc pro tunc to May 9, 2000	JUDGE RIKI MAY AMANO	SIGNATURE 
NOTICE OF ENTRY		
THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.		
I hereby certify that this is a full, true and correct copy of the original on file in this office.		
DATE May 11, 2000	CLERK 	 B. MCRAE, CLERK THIRD CIRCUIT COURT STATE OF HAWAII 3000 MAY 11 PM 3:38 FILED
DISTRIBUTION: <input type="checkbox"/> ORIG. FILE, <input checked="" type="checkbox"/> PROS., <input checked="" type="checkbox"/> DEF., <input checked="" type="checkbox"/> APD (3 CY), <input checked="" type="checkbox"/> POLICE, <input type="checkbox"/> DIVISION, <input checked="" type="checkbox"/> JAIL (IF NEC.) x K. Shigetomi x County Clerks		

STATE OF HAWAII
CIRCUIT COURT OF THE
THIRD CIRCUIT

TERMS AND CONDITIONS
OF PROBATION

CASE NUMBER
CR. NO. 99-147

TO: DEFENDANT

IT IS THE ORDER OF THE COURT THAT DURING YOUR TERM OF PROBATION, YOU SHALL COMPLY IN ALL RESPECTS WITH THE FOLLOWING TERMS AND CONDITIONS:

1. You must not commit another federal or state crime during the term of probation;
2. You must report to a probation officer as directed by the court or the probation officer;
3. You must remain within the jurisdiction of the court unless granted permission to leave by the court or a probation officer;
4. You must notify a probation officer prior to any change in address or employment;
5. You must notify a probation officer promptly if arrested or questioned by a law enforcement officer; and
6. You must permit a probation officer to visit you at your home or elsewhere as specified by the court.
7. Your further special conditions of probation are as follows:
 - A. Follow all reasonable instructions which are given to you by your probation officer;
 - B. You shall not own or possess any firearms or ammunition. If you have any firearms or ammunition, you must immediately turn them in to the Hawaii County Police Department.
 - C. You shall sign the terms and conditions of probation.
 - D. You shall serve a jail term of one (1) year with credit for time served.

(continued on attached page)

NOTE: IF YOUR WHEREABOUTS BECOME UNKNOWN TO YOUR PROBATION OFFICER BECAUSE OF YOUR FAILURE TO KEEP HIM INFORMED, THE COURT MAY ORDER YOUR ARREST. ANY FAILURE BY YOU TO COMPLY WITH ALL OF THE TERMS AND CONDITIONS OF PROBATION WILL MEAN THAT THE COURT CAN REVOKE YOUR PROBATION AND SENTENCE YOU TO PRISON, OR CHANGE OR ADD TO THE TERMS OF PROBATION. YOU ARE FURTHER INFORMED THAT PER HRS 134-7, YOU ARE PROHIBITED FROM OWNING OR POSSESSING ANY FIREARM OR AMMUNITION.

THE FOREGOING TERMS AND CONDITIONS OF PROBATION HAVE BEEN EXPLAINED TO ME; I FULLY UNDERSTAND THEM, AGREE TO ABIDE BY THEM IN EVERY WAY AND UNDERSTAND THE CONSEQUENCES. I HAVE RECEIVED A COPY OF THESE TERMS AND CONDITIONS OF PROBATION.

DATE	DEFENDANT'S SIGNATURE	WITNESSED BY
		INTERPRETED BY (PROBATION OFFICER)

STATE OF HAWAI'I v. SHAWN SCHWEITZER
CR. No. 99-147
Sentence Date: May 9, 2000

SPECIAL CONDITIONS continued:

- E. You shall obtain and maintain verifiable, full-time work or attend educational/vocational training as approved by your probation officer throughout the period of probation.
- F. You shall pay a Criminal Victim Compensation fee of \$500.00 at a minimum rate of \$25.00 per month. Any modification in the manner of payments must be approved by the Court.
- G. You shall not possess, use or consume any alcohol or unprescribed/illegal drug or possess any drug related paraphernalia.
- H. You shall submit to random testing for drugs or alcohol at your own expense, subject to your ability to pay. A sample for testing shall be provided within two hours of the request by the Adult Probation Division. Failure to submit a sample will count as a positive result and a material violation of terms of your probation.
- I. You shall submit to drug/alcohol and mental health assessment at your own expense as directed by your probation officer.
- J. You shall obtain and maintain any and all recommendations for treatment as directed by your probation officer or recommended by the assessment, including residential or out-patient, alcohol or substance abuse, mental health or any other counseling, until you are clinically discharged and with the concurrence of your probation officer. You shall be responsible for payment of such treatment.
- K. You shall not contact or attempt to contact, directly or indirectly, the victim's family or any other party significantly related to the victim, without the prior knowledge and authorization of your probation officer.
- L. You shall have no contact with any of the witnesses who testified in the trials of State v. Frank Pauline, Jr. (Cr. No. 97-256) or State v. Albert Ian Schweitzer (Cr. No. 99-147).
- M. You shall remain at home between the hours of 12:00 a.m. (midnight) and 6:00 a.m., except for purposes of work or transportation to and from work.

(continued on next page)

STATE OF HAWAII v. SHAWN SCHWEITZER

CR. No. 99-147

Sentence Date: May 9, 2000

SPECIAL CONDITIONS continued:

- N. You shall comply with all court orders, including for child support of your dependents.
- O. You shall perform 32 hours of community service per week for the duration of probation while you are in Hawaii and are not employed or attending school/training on a full-time basis. Community service requirement may be reduced by the number of hours you participate in employment or education/training in any given week.
- P. You shall be allowed to move to the State of Nevada, provided that all the necessary arrangements are completed and your probation officer approves.
- Q. You shall sign a waiver of extradition.
- R. You shall appear for all proof of compliance hearings ordered by the Court. The first hearing shall be held on May 10, 2001, at 1:00 p.m.